UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *10 July 2008*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-77* is/are pending in the application.

    4a) Of the above claim(s) *1-11,30 and 31* is/are withdrawn from consideration.

5)☒ Claim(s) *67-77* is/are allowed.

6)☒ Claim(s) *12-29,32-45,47-50 and 53-66* is/are rejected.

7)☒ Claim(s) *46,51 and 52* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Status

1.   This action is in response to the amendment filed on July 10, 2008. Claims 12,

21-29, 32-33, 35, 44-49, 51-53, 57-62, 66-67, 69, 72-77 have been amended. Claims 1-

77 are pending. Claims 1-11 and 30-31 and 42-43 have been withdrawn.

2.   The examiner has reviewed the priority date for the current application. Both

provisionals 60/133579 and 60/120506 do not include the details interface instruction

pages or XML as stated in claims 55 and 56. Thus the applicant will only get the date of

the filing date of the current application for these features. The priority date for these

features is 8/15/2001.

Election/Restrictions

3.   Restriction to one of the following inventions is required under 35 U.S.C. 121:

    I.   Claims 1-41 and 44-77, drawn to the structure of an automatic transaction

       machine including the automatic transaction machine processor, classified

       in class 902, subclass 8.

    II.   Claims 42-43, drawn to the structure of an automatic transaction system

       including a cell phone processor used in transactions, classified in class

       705, subclass 1.

The inventions are distinct, each from the other because of the following reasons:

4.   Inventions I and II are related as subcombinations disclosed as usable together
in a single combination. The subcombinations are distinct if they do not overlap in
scope and are not obvious variants, and if it is shown that at least one subcombination
is separately usable. In the instant case, subcombination I has separate utility such as
an ATM machine processor used for transactional purposes. See MPEP § 806.05(d).

        The examiner has required restriction between subcombinations usable together.
Where applicant elects a subcombination and claims thereto are subsequently found
allowable, any claim(s) depending from or otherwise requiring all the limitations of the
allowable subcombination will be examined for patentability in accordance with 37 CFR
1.104. See MPEP § 821.04(a). Applicant is advised that if any claim presented in a
continuation or divisional application is anticipated by, or includes all the limitations of, a
claim that is allowable in the present application, such claim may be subject to
provisional statutory and/or nonstatutory double patenting rejections over the claims of
the instant application.

5.   Newly amended claims 42 and 43 are directed to an invention that is
independent or distinct from the invention originally claimed for the following reasons:
Claim 42 originally taught an automatic transaction machine and an ATM processor and
proceeds to teach the functionality of the ATM processor. Claim 42 amended teaches a
cell phone processor and the functionality of the cell phone processor.

        Since applicant has received an action on the merits for the originally presented
invention, this invention has been constructively elected by original presentation for

prosecution on the merits. Accordingly, claims 42 and 43 are withdrawn from

consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and

MPEP § 821.03.

Response to Arguments

6.   Applicant's arguments with respect to claims 12-29 and 32-35, 42-77 have been

considered but are moot in view of the new ground(s) of rejection.

7.   In response to applicant's argument that July 10, 2008, the test for obviousness

is not whether the features of a secondary reference may be bodily incorporated into the

structure of the primary reference; nor is it that the claimed invention must be expressly

suggested in any one or all of the references. Rather, the test is what the combined

teachings of the references would have suggested to those of ordinary skill in the art.

See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

8.   Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount

to a general allegation that the claims define a patentable invention without specifically

pointing out how the language of the claims patentably distinguishes them from the

references.

9.   Applicant does not specifically point out the errors and what is lacking in the prior

art teachings for is argument of claim 36. It is unclear what the applicant feels the prior

art does not teach.

Claim Rejections - 35 USC § 112

10.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

11.   Claims 12-24, 46, 51-52, and 66 are rejected under 35 U.S.C. 112, second

paragraph, as being indefinite for failing to particularly point out and distinctly claim the

subject matter which applicant regards as the invention.

12.   Regarding claim 12, the phrase "operative to communicate with a cell phone

including a computer processor and a user interface software component" renders the

claim indefinite because it is unclear whether within the claim the applicant is claiming

that the cell phone has a computer like function, or if there is also a computer as part of

the system.

13.   Regarding claim 46, the phrase "wherein a cell phone includes the transaction

service" renders the claim indefinite the language makes it unclear as to how the cell

phone can include the transaction service. Based on antecedent basis it appears that

the cell phone includes a automated transaction machine because the transaction

service is a structure of the automatic transaction machine. For examination purposes

the financial check will be read on as a paper check.

14.   Regarding claim 66, the phrase "financial check" renders the claim indefinite

because it is unclear whether or not the user is checking the system or using a paper

check.

15.   Claims 13-24, and 51-52 are also rejected as depending on rejected claims.

Claim Rejections - 35 USC § 103

16.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

17.   Claims 12-29 and 32-35 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Coutts et al. (US 6311165 B1) in view of Dave et al. (1992 IEEE) in

further view of Maes et al (US 6016476 A) in further view of Hsu et al (US 6587684 B1).

18.   Regarding claim 12, Coutts teaches *an automated transaction machine* (col. 3,

line 6 – col. 4, line 55), also know as a transaction terminal. Coutts teaches *a network*

(abstract, col. 3, line 6 – col. 4, line 55). Coutts teaches *an automated teller machine*

(ATM), wherein the ATM includes a currency dispenser, wherein the ATM includes at

least one transaction service in operative connection with the network (see at least

abstract, col. 3, line 6 – col. 4, line 55). Coutts teaches *wherein the transaction service*

included in the ATM is operative to communicate with a portable device through the

network, wherein the portable device includes a computer processor and a user

interface software component operative in the computer processor (see at least

abstract, col. 26, line 20 – col. 27, line 59, col. 34, line 45 – col. 36, line 45). A printer in

operative connection with a network is described. Coutts teaches a *service proxy* (col.

34, line 51 – col. 35, line 4, col. 39, lines 38 – 49, col. 41, lines 15 – 33, col. 11, lines 21-

33). Coutts teaches multiple service proxies (col. 11, lines 21 – 33). Separate modules

connected to the network can download software from a server. Coutts does not

specifically discuss a service proxy to the lookup service. However, Dave teaches *a*

lookup service in operative connection with the network (pg. 212 – 219). Dave teaches

wherein the transaction service includes a service proxy software component, wherein

the transaction service is operative to send a first copy of the service proxy to the

lookup service, wherein the lookup service is operative to enable the user interface

software component operative in the computer processor to acquire a second copy of

the service proxy from the lookup service, wherein the second copy of the service proxy

is adapted to operate responsive to the user interface software component to cause the

transaction service to operate to cause a machine to perform a transaction function (pg.

212 – 219). Coutts discloses modules adapted to function as constituents of a

transaction terminal operating through a server in a transaction network. Dave discloses

the various uses of proxies, as well as application interfaces, and distributed systems.

Dave shows that at the time of the invention prior art discusses and equates together a

service proxy to the lookup service. Thought not specifically stated within the invention

prior art shows that a service proxy to the lookup service existed at the time of the

invention. It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Coutts to include the details of a lookup service and a service proxy

to the lookup service. Proxies and lookups would be used in order to build an effective distributed system among remote computers. At the time of the invention, proxies and lookups were a part of the plumbing that enabled communication between systems across a network. And since Coutts discloses both a network and multiple service proxies it would have been obvious for the invention to discuss the details lookup service as well. The combination of Coutts and Dave does not specifically teach a cell phone. However, Maes teaches a cellular connection to an ATM machine to cause a transaction to occur (abstract, col. 4, line 45 – col. 5, line 25, col. 14, line 1-16). Coutts discloses an automated transaction machine including an ATM. Maes discloses a cell phone which is in communication with an ATM. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Coutts to include the details of using a cell phone to communicate with an ATM as in the improvement discussed in Maes in the apparatus using the structure of Coutts. As in Maes, it is within the capabilities of one of ordinary skill in the art to use the known cellular technology to communicate with the ATM taught in Coutts with the predictable result of a more efficient way of using an ATM machine without requiring the use of the debit cards as required by Coutts. As for the language used for causing a cell phone to be operable to do certain steps this is functional language of intended use. The physical structure of the ATM does not require the limitations of the operations of the cell phone for the structure of the ATM to function. Thus, the ATM only need to be required to communicate with the cell phone. Cite to MPEP 2113 "[E]ven though product-by-process claims are limited by and defined by the process, determination of patentability

is based on the product itself. The patentability of a product does not depend on its method of production. If the product in the product-by-process claim is the same as or obvious from a product of the prior art, the claim is unpatentable even though the prior product was made by a different process." In re Thorpe, 777 F.2d 695, 698, 227 USPQ 964, 966 (Fed. Cir. 1985) (citations omitted) (Claim was directed to a novolac color developer. The process of making the developer was allowed. The difference between the inventive process and the prior art was the addition of metal oxide and carboxylic acid as separate ingredients instead of adding the more expensive pre-reacted metal carboxylate. The product-by-process claim was rejected because the end product, in both the prior art and the allowed process, ends up containing metal carboxylate. The fact that the metal carboxylate is not directly added, but is instead produced in-situ does not change the end product.). However, the examiner asserts that the technology for second a service proxy software to a cell phone was well known in the art at the time of the invention. Neither Coutts nor Maes teach downloading software onto a cell phone. However, Hsu teaches sending a copy of a service proxy software to a cell phone (see at least abstract, col. 5, line 49 - co. 7, line 17). The combination of Maes and Coutts teaches the use of a cell phone to connect with an ATM. Hsu teaches downloading software to portable wireless digital telephones. It would have been obvious to one of ordinary skill in the art at the time of the invention to have downloaded software from a server onto a cellular phone using the teachings of Hsu for the purposes of adding extra applications to be used on the cell phone. As in Hsu, it is within the capabilities of one of ordinary skill in the art to receive a copy of a service proxy software on a cell phone as

taught by Maes to communicate with the ATM server with predicted results of causing at

least one transaction to occur.

19.   Regarding claim 13, Coutts teaches *wherein the transaction service includes a*

transaction device (Abstract, col. 3, line 6 – col. 4, line 55, col. 8, lines 29 – 65).

20.   Regarding claim 14, Coutts teaches *wherein the transaction device includes the*

currency dispenser, wherein the transaction function includes dispensing at least one

sheet of currency wherein the second copy of the service proxy is adapted to operate

responsive to the user interface software component to cause the ATM to operate the

cash dispenser (abstract, col. 3, lines 6 – col. 4, line 55, col. 8, line 29 – col. 11, line 10,

col. 11, line 53 – col. 12, line 7).

21.   Regarding claim 15, Coutts teaches *wherein the transaction device includes a*

printer, and wherein the transaction function includes printing at least one document

(col. 4, lines 8 – 15, col. 8, lines 54 – 66, col. 10, lines 48 – 65, col. 10, line 51 – col. 12,

line 6, col. 14, lines 14 – 23, col. 14, line 66 – col. 15, line 7).

22.   Regarding claim 16, Coutts teaches *wherein the transaction device includes a*

reading device, and wherein the transaction function includes reading with the reading

device (Abstract, col. 4, lines 8 – 15, col. 8, lines 53 – 65, col. 10, lines 1 – 30). This can

be seen in the discussion of the card reader.

23.   Regarding claim 17, Coutts teaches *wherein the transaction device includes an item accepting device, and wherein the transaction function includes accepting an item with the item accepting device* (col. 52, lines 3 – 53, col. 55, lines 9 – 16).

24.   Regarding claim 18, Coutts teaches an automatic transaction machine, network, a processor attached to the network, user interface software operative with the processor, and service proxies. Coutts does not specifically teach a lookup service with a discovery request message. However, Dave teaches *wherein the transaction service is operative to send a discovery request message to the lookup service; wherein the lookup service is operative to send a discovery response message to the transaction service responsive to the discovery request message, and wherein the transaction service sends the first copy of the service proxy to the lookup service responsive to the discovery response message, whereby the transaction service is operative to register with the lookup service* (pg. 212 – 219). All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Coutts discloses modules adapted to function as constituents of a transaction terminal operating through a server in a transaction network. Dave discloses the various uses of proxies, as well as application interfaces, and distributed systems. Proxies and lookups would be used in order to build an effective distributed system among remote

computers. At the time of the invention, proxies and lookups were a part of the plumbing that enabled communication between systems across a network. And since Coutts discloses both a network and multiple service proxies it would have been obvious for the invention to have a lookup service as well. Though disclosed by Dave, a discovery request message is inherent with lookup services that contain service proxies. A lookup service doesn't exist that does not have some type of a message sent back and forth. The message goes from a processor to a lookup service telling the lookup service which item is required. The lookup service will respond with a message telling the processor where to locate the item that is being requested by the processor. In this specific case the first copy is being sent to the lookup service to be registered. The lookup service contains data and information that is registered with the lookup service. Inherent with the lookup service is the requirement that items would be registered with the service.

25.   Regarding claim 19, Coutts teaches an automatic transaction machine, network, a processor attached to the network, user interface software operative with the processor, and service proxies. Coutts does not teach a lookup service with a discovery request message. However, Dave teaches *wherein the discovery request message includes the IP address of the transaction service, and wherein the discovery response message includes the IP address of the lookup service* (pg. 212 – 219). Coutts discloses modules adapted to function as constituents of a transaction terminal operating through a server in a transaction network. Dave discloses the various uses of proxies, as well as application interfaces, and distributed systems. It would have been

obvious to one of ordinary skill in the art at the time of the invention to modify Coutts to include the details of a lookup service and a discovery request message. Proxies and lookups would be used in order to build an effective distributed system among remote computers. At the time of the invention, proxies and lookups were a part of the plumbing that enabled communication between systems across a network. And since Coutts discloses both a network and multiple service proxies it would have been obvious for the invention to have a lookup service as well. Though disclosed by Dave, a discovery request message is inherent with lookup services that contain service proxies. A lookup service doesn't exist that does not have some type of a message sent back and forth. The message goes from a processor to a lookup service telling the lookup service which item is required. The lookup service will respond with a message telling the processor where to locate the item that is being requested by the processor. The lookup responds as to a request message with the unique location. The standard for locations over the Internet is an IP address.

26.   Regarding claim 20, Coutts teaches an automatic transaction machine, network, a processor attached to the network, user interface software operative with the processor, and service proxies. Coutts does not teach a lookup service with a discovery request message. However, Dave teaches *wherein the transaction service is operative to send the discovery request message proximate in time to when the transaction service is first connected to the network* (pg. 212 – 219). Coutts discloses modules adapted to function as constituents of a transaction terminal operating through a server

in a transaction network. Dave discloses the various uses of proxies, as well as application interfaces, and distributed systems. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Coutts to include the details of a lookup service and a discovery request message. Proxies and lookups would be used in order to build an effective distributed system among remote computers. At the time of the invention, proxies and lookups were a part of the plumbing that enabled communication between systems across a network. And since Coutts discloses both a network and multiple service proxies it would have been obvious for the invention to have a lookup service as well. Though disclosed by Dave, a discovery request message is inherent with lookup services that contain service proxies. A lookup service doesn't exist that does not have some type of a message sent back and forth. The message goes from a processor to a lookup service telling the lookup service which item is required. The lookup service will respond with a message telling the processor where to locate the item that is being requested by the processor.

27.   Regarding claim 21, Coutts teaches an automatic transaction machine, network, a processor attached to the network, user interface software operative with the processor, and service proxies. Coutts does not specifically discuss a lookup service with a discovery request message. However, Dave teaches *wherein the lookup service is operative to receive a lookup search message from the user interface software component, and wherein the lookup service is operative to send the second copy of the service proxy to a computer processor responsive to the lookup search message* (pg.

212 – 219). Coutts discloses modules adapted to function as constituents of a transaction terminal operating through a server in a transaction network. Dave discloses the various uses of proxies, as well as application interfaces, and distributed systems. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Coutts to include the details of a lookup service and a discovery message to the lookup service. Proxies and lookups would be used in order to build an effective distributed system among remote computers. At the time of the invention, proxies and lookups were a part of the plumbing that enabled communication between systems across a network. And since Coutts discloses both a network and multiple service proxies it would have been obvious for the invention to have a lookup service as well. Though disclosed by Dave, a discovery request message is inherent with lookup services that contain service proxies. A lookup service doesn't exist that does not have some type of a message sent back and forth. The message goes from a processor to a lookup service telling the lookup service which item is required. The lookup service will respond with a message telling the processor where to locate the item that is being requested by the processor. In this specific case the first copy is being sent to the lookup service to be registered. The lookup service contains data and information that is registered with the lookup service. Inherent with the lookup service is the requirement that items would be registered with the service. It is also inherent with the lookup service that copies would be requested from the service. These copies requested by the processor would then be sent to the processor. The combination of Coutts and Dave does not specifically teach a cell phone. However, Maes teaches a cellular connection

to an ATM machine (abstract, col. 4, line 45 – col. 5, line 25, col. 14, line 1-16). Coutts

discloses an automated transaction machine including an ATM. Maes discloses a cell

phone which is in communication with an ATM. It would have been obvious to one of

ordinary skill in the art at the time of the invention to modify Coutts to include the details

of using a cell phone to communicate with an ATM as in the improvement discussed in

Maes in the apparatus using the structure of Coutts. As in Maes, it is within the

capabilities of one of ordinary skill in the art to use the known cellular technology to

communicate with the ATM taught in Coutts with the predictable result of a more

efficient way of using an ATM machine without requiring the use of the debit cards as

required by Coutts. Neither Coutts nor Maes teach downloading software onto a cell

phone. However, Hsu teaches sending a copy of a service proxy software to a cell

phone (see at least abstract, col. 5, line 49 - co. 7, line 17). The combination of Maes

and Coutts teaches the use of a cell phone to connect with an ATM. Hsu teaches

downloading software to portable wireless digital telephones. It would have been

obvious to one of ordinary skill in the art at the time of the invention to have downloaded

software from a server onto a cellular phone using the teachings of Hsu for the

purposes of adding extra applications to be used on the cell phone. As in Hsu, it is

within the capabilities of one of ordinary skill in the art to receive a copy of a service

proxy software on a cell phone as taught by Maes to communicate with the ATM server

with predicted results of causing at least one transaction to occur.

28.   Regarding claim 22, Coutts teaches *wherein the user interface software*

component includes a user interface service (Abstract, col. 3, line 6 – col. 4, line 55).

Coutts does not teach a lookup service. However, Dave teaches *wherein the lookup*

service is in operative connection with a data store, wherein the data store includes the

first copy of the service proxy and a first copy of a user interface service proxy that

corresponds to the user interface service, wherein the transaction service is operative to

cause a computer to acquire a second copy of the user interface service proxy, wherein

the second copy of the user interface service proxy is operative responsive to the

transaction service to cause the user interface service to operate to cause the device to

perform a user interface function (pg. 212 – 219). Coutts discloses modules adapted to

function as constituents of a transaction terminal operating through a server in a

transaction network. Dave discloses the various uses of proxies, as well as application

interfaces, and distributed systems. It would have been obvious to one of ordinary skill

in the art at the time of the invention to modify Coutts to include the details of a lookup

service and a discovery request message. Proxies and lookups would be used in order

to build an effective distributed system among remote computers. At the time of the

invention, proxies and lookups were a part of the plumbing that enabled communication

between systems across a network. And since Coutts discloses both a network and

multiple service proxies it would have been obvious for the invention to have a lookup

service as well. Though disclosed by Dave, a discovery request message is inherent

with lookup services that contain service proxies. A lookup service doesn't exist that

does not have some type of a message sent back and forth. The message goes from a

processor to a lookup service telling the lookup service which item is required. The

lookup service will respond with a message telling the processor where to locate the

item that is being requested by the processor. In this specific case the first copy is being

sent to the lookup service to be registered. The lookup service contains data and

information that is registered with the lookup service. Inherent with the lookup service is

the requirement that items would be registered with the service. It is also inherent with

the lookup service that copies would be requested from the service. These copies

requested by the processor would then be sent to the processor. If the trouble were

going to be made to request the copy it would be obvious to install and perform the

function that was requested. The combination of Coutts and Dave does not specifically

teach a cell phone. However, Maes teaches a cellular connection to an ATM machine to

perform a user interface function (abstract, col. 4, line 45 – col. 5, line 25, col. 14, line 1-

16). Coutts discloses an automated transaction machine including an ATM. Maes

discloses a cell phone which is in communication with an ATM. It would have been

obvious to one of ordinary skill in the art at the time of the invention to modify Coutts to

include the details of using a cell phone to communicate with an ATM as in the

improvement discussed in Maes in the apparatus using the structure of Coutts. As in

Maes, it is within the capabilities of one of ordinary skill in the art to use the known

cellular technology to communicate with the ATM taught in Coutts with the predictable

result of a more efficient way of using an ATM machine without requiring the use of the

debit cards as required by Coutts.

29.   Regarding claim 23, Coutts teaches *wherein the user interface function includes providing an output through the display* (col. 3, line 6 – col. 4, line 55). The combination of Coutts and Dave does not specifically teach a cell phone. However, Maes teaches a cellular connection to an ATM machine including a display (abstract, col. 4, line 45 – col. 5, line 55, col. 14, line 1-16). Coutts discloses an automated transaction machine including an ATM. Maes discloses a cell phone which is in communication with an ATM. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Coutts to include the details of using a cell phone to communicate with an ATM as in the improvement discussed in Maes in the apparatus using the structure of Coutts. As in Maes, it is within the capabilities of one of ordinary skill in the art to use the known cellular technology to communicate with the ATM taught in Coutts with the predictable result of a more efficient way of using an ATM machine without requiring the use of the debit cards as required by Coutts.

30.   Regarding claim 24, Coutts teaches *wherein the automated transaction machine includes an input device, and wherein the user interface function includes enabling receipt of an input through the input device* (col. 12, lines 6 – 44, col. 17, lines 5 – 25). The combination of Coutts and Dave does not specifically teach a cell phone. However, Maes teaches a cellular connection to an ATM machine wherein the cellular device has an input device (abstract, col. 4, line 45 – col. 5, line 25, col. 14, line 1-16). Coutts discloses an automated transaction machine including an ATM. Maes discloses a cell phone which is in communication with an ATM. It would have been obvious to one of

ordinary skill in the art at the time of the invention to modify Coutts to include the details

of using a cell phone to communicate with an ATM as in the improvement discussed in

Maes in the apparatus using the structure of Coutts. As in Maes, it is within the

capabilities of one of ordinary skill in the art to use the known cellular technology to

communicate with the ATM taught in Coutts with the predictable result of a more

efficient way of using an ATM machine without requiring the use of the debit cards as

required by Coutts.

31.   Regarding claim 25, Coutts teaches *enabling communication between a portable*

device a transaction service in an automated teller machine (ATM), wherein the ATM

includes a cash dispenser, wherein the transaction service includes at least one

transaction function device and a service proxy software component, and wherein the

ATM includes an input service including at least one input device (Abstract, col. 3, line 6

– col. 4, line 55, col. 3, lines 6 – col. 4, line 55, col. 8, line 29 – col. 11, line 10, col. 11,

line 53 – col. 12, line 44, col. 17, lines 5 – 25, col. 8, lines 29 – 43). Viewed as a

transaction. Coutts does not specifically discuss a service proxy to the lookup service.

However, Dave teaches *registering the transaction service with the lookup service,*

including storing a copy of the service proxy software in association with the lookup

service (pg. 213-214). Dave teaches *sending a copy of the service proxy software from*

the lookup service (pg. 212 – 219). Dave teaches *the copy of the service proxy being*

invoked through operation of the device responsive to at least one input provided

through the input device (pg. 213-219). Coutts discloses modules adapted to function as

constituents of a transaction terminal operating through a server in a transaction network. Dave discloses the various uses of proxies, as well as application interfaces, and distributed systems. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Coutts to include the details of a lookup service and getting a copy of a service proxy. Proxies and lookups would be used in order to build an effective distributed system among remote computers. At the time of the invention, proxies and lookups were a part of the plumbing that enabled communication between systems across a network. And since Coutts discloses both a network and multiple service proxies it would have been obvious for the invention to have a lookup service as well. The lookup service contains data and information that is registered with the lookup service. In this specific case the first copy is being sent to the lookup service to be registered. Inherent with the lookup service is the requirement that items would be registered with the service. It is also inherent with the lookup service that copies would be requested from the service. These copies requested by the processor would then be sent to the processor. The combination of Coutts and Dave does not specifically teach a cell phone. However, Maes teaches a cellular connection to an ATM machine to operate at least one transaction function device of the transaction service (abstract, col. 4, line 45 – col. 5, line 25, col. 14, line 1-16). Coutts discloses an automated transaction machine including an ATM. Maes discloses a cell phone which is in communication with an ATM. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Coutts to include the details of using a cell phone to communicate with an ATM as in the improvement discussed in Maes in the apparatus using the

structure of Coutts. As in Maes, it is within the capabilities of one of ordinary skill in the art to use the known cellular technology to communicate with the ATM taught in Coutts with the predictable result of a more efficient way of using an ATM machine without requiring the use of the debit cards as required by Coutts. Neither Coutts nor Maes teach downloading software onto a cell phone. However, Hsu teaches sending a copy of a service proxy software to a cell phone as well as the service proxy software being invoked through the operation of the cell phone in response to at least one user input (see at least abstract, col. 5, line 49 - co. 7, line 17). The combination of Maes and Coutts teaches the use of a cell phone to connect with an ATM. Hsu teaches downloading software to portable wireless digital telephones. It would have been obvious to one of ordinary skill in the art at the time of the invention to have downloaded software from a server onto a cellular phone using the teachings of Hsu for the purposes of adding extra applications to be used on the cell phone. As in Hsu, it is within the capabilities of one of ordinary skill in the art to receive a copy of a service proxy software on a cell phone as taught by Maes to communicate with the ATM server with predicted results of causing at least one transaction to occur.

32.   Regarding claim 26, Coutts teaches *a sheet dispenser and wherein at least one in the sheet dispenser dispenses at least one sheet* (col. 10, line 47 – col. 11, line 10, col. 11, line 53 – col. 12, line 7).

33.   Regarding claim 27, Coutts teaches *wherein at least one transaction device*

includes a printer, and wherein the printer prints at least one document (col. 4, lines 8 –

15, col. 8, lines 54 – 66, col. 10, lines 48 – 65, col. 10, line 51 – col. 12, line 6, col. 14,

lines 14 – 23, col. 14, line 66 – col. 15, line 7).

34.   Regarding claim 28, Coutts teaches *wherein the at least one transaction device*

includes a card interface device and wherein the card interface device changes the

amount of value stored on a smart card (col. 4, lines 8-15, col. 10, lines 1-30, col. 23,

line 19 – col. 24, line 31).

35.   Regarding claim 29, Coutts teaches *wherein the at least one transaction device*

includes the cash dispenser, and wherein the cash dispenser dispenses cash (abstract,

col. 3, lines 6 – col. 4, line 55, col. 8, line 29 – col. 11, line 10, col. 11, line 53 – col. 12,

line 7).

36.   Regarding claim 32, Coutts teaches *enabling communication between a portable*

device and a transaction service component of an automated teller machine (ATM),

wherein the ATM includes a cash dispenser, wherein the transaction service component

includes a service proxy software component user interface component (Abstract, col.

3, line 6 – col. 4, line 55, col. 12, lines 6 – 44, col. 17, lines 5 – 25, col. 8, lines 29 – 43,

col. 34, line 50 – col. 41, line 55). Coutts teaches *performing a transaction function with*

the ATM through operation of the transaction service component responsive to the

invoked method call (see at least abstract, col. 3, line 6 – col. 4, line 55). Coutts teaches

invoking a transaction method of the service proxy with the user interface component

(col. 34, line 50 – col. 44, line 54). Coutts teaches a *service proxy* (col. 34, line 51 – col.

35, line 4, col. 39, lines 38 – 49, col. 41, lines 15 – 33, col. 11, lines 21- 33). Coutts

teaches multiple service proxies (col. 11, lines 21 – 33). Coutts does not specifically

teach a second message to the lookup service, registering with the lookup service,

acquiring copies from the lookup service. However, Dave teaches *a lookup service in*

operative connection with the network (pg. 212 – 219). Dave teaches *sending a first*

message from the transaction service component to the lookup service (pg. 212-219).

Dave teaches *sending a second message from the lookup service to the transaction*

service component responsive to the first message (pg. 212 – 219). Dave teaches

registering the transaction service component with the lookup service responsive to the

second message, including sending a first copy of the service proxy software to the

lookup service (pg. 212 – 219). Dave teaches *sending a second copy of the service*

proxy software from the lookup service to a device (pg. 212 – 219). Dave teaches

receiving with the transaction service from the device an invoked method call of the

second copy of the service proxy (pg. 212 -219). Coutts discloses modules adapted to

function as constituents of a transaction terminal operating through a server in a

transaction network. Dave discloses the various uses of proxies, as well as application

interfaces, and distributed systems. It would have been obvious to one of ordinary skill

in the art at the time of the invention to modify Coutts to include the details of a lookup

service, getting copies of a service proxy, and registering with a lookup service. Proxies

and lookups would be used in order to build an effective distributed system among

remote computers. At the time of the invention, proxies and lookups were a part of the

plumbing that enabled communication between systems across a network. And since

Coutts discloses both a network and multiple service proxies it would have been

obvious for the invention to have a lookup service as well. The lookup service contains

data and information that is registered with the lookup service. In this specific case the

first copy is being sent to the lookup service to be registered. Inherent with the lookup

service is the requirement that items would be registered with the service. It is also

inherent with the lookup service that copies would be requested from the service. These

copies requested by the processor would then be sent to the processor. Though

disclosed by Dave, a discovery request message is inherent with lookup services that

contain service proxies. A lookup service doesn't exist that does not have some type of

a message sent back and forth. The lookup service contains data and information that is

registered with the lookup service. Inherent with the lookup service is the requirement

that items would be registered with the service. The look up service holds information

on where an item is located. The information must be registered so the lookup service

can locate it and message back the location. The message goes from a processor to a

lookup service telling the lookup service which item is required. The lookup service will

respond with a message telling the processor where to locate the item that is being

requested by the processor. In this specific case the first copy is being sent to the

lookup service to be registered. The combination of Coutts and Dave does not

specifically teach a cell phone. However, Maes teaches a cellular phone used with an

ATM for transactional purposes (abstract, col. 4, line 45 – col. 5, line 25, col. 14, line 1-16). Coutts discloses an automated transaction machine including an ATM. Maes discloses a cell phone which is in communication with an ATM. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Coutts to include the details of using a cell phone to communicate with an ATM as in the improvement discussed in Maes in the apparatus using the structure of Coutts. As in Maes, it is within the capabilities of one of ordinary skill in the art to use the known cellular technology to communicate with the ATM taught in Coutts with the predictable result of a more efficient way of using an ATM machine without requiring the use of the debit cards as required by Coutts. Neither Coutts nor Maes teach downloading software onto a cell phone. However, Hsu teaches sending a copy of a service proxy software to a cell phone as well as the service proxy software being invoked through the operation of the cell phone in response to at least one user input (see at least abstract, col. 5, line 49 - co. 7, line 17). The combination of Maes and Coutts teaches the use of a cell phone to connect with an ATM. Hsu teaches downloading software to portable wireless digital telephones. It would have been obvious to one of ordinary skill in the art at the time of the invention to have downloaded software from a server onto a cellular phone using the teachings of Hsu for the purposes of adding extra applications to be used on the cell phone. As in Hsu, it is within the capabilities of one of ordinary skill in the art to receive a copy of a service proxy software on a cell phone as taught by Maes to communicate with the ATM server with predicted results of causing at least one transaction to occur.

37.   Regarding claim 33, Coutts teaches *returning an operational status of the transaction service component to the device* (col. 34, line 33 – col. 40, line 27). The combination of Coutts and Dave does not specifically teach a cell phone. However, Maes teaches a cellular phone used with an ATM and for returning an operational status of the transaction service (abstract, col. 4, line 45 – col. 5, line 25, col. 14, line 1-16). Coutts discloses an automated transaction machine including an ATM. Maes discloses a cell phone which is in communication with an ATM. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Coutts to include the details of using a cell phone to communicate with an ATM as in the improvement discussed in Maes in the apparatus using the structure of Coutts. As in Maes, it is within the capabilities of one of ordinary skill in the art to use the known cellular technology to communicate with the ATM taught in Coutts with the predictable result of a more efficient way of using an ATM machine without requiring the use of the debit cards as required by Coutts.

38.   Regarding claim 34, Coutts teaches *wherein the transaction service component includes a sheet dispensing device, and includes dispensing a sheet from the dispensing device* (col. 10, line 47 – col. 11, line 10, col. 11, line 53 – col. 12, line 7).

39.   Regarding claim 35, Coutts teaches a transaction service wherein an automated transaction machine includes a user interface, a transaction method of the service

proxy, and a transaction function. Coutts does not teach messages to a lookup service.

Dave teaches *sending a message to the lookup service from the device, and sending*

the second copy of the service proxy from the lookup service to the device responsive

to the message (pg. 212 – 219). Dave teaches multiple messages that are sent. Coutts

discloses modules adapted to function as constituents of a transaction terminal

operating through a server in a transaction network. Dave discloses the various uses of

proxies, as well as application interfaces, and distributed systems. It would have been

obvious to one of ordinary skill in the art at the time of the invention to modify Coutts to

teach messages to a lookup service. The look up service holds information on where an

item is located. The information must be registered so the lookup service can locate it

and message back the location. The message goes from a processor to a lookup

service telling the lookup service which item is required. The lookup service will respond

with a message telling the processor where to locate the item that is being requested by

the processor. The combination of Coutts and Dave does not specifically teach a cell

phone. However, Maes teaches a cellular phone used with an ATM for transactional

purposes (abstract, col. 4, line 45 – col. 5, line 25, col. 14, line 1-16). Coutts discloses

an automated transaction machine including an ATM. Maes discloses a cell phone

which is in communication with an ATM. It would have been obvious to one of ordinary

skill in the art at the time of the invention to modify Coutts to include the details of using

a cell phone to communicate with an ATM as in the improvement discussed in Maes in

the apparatus using the structure of Coutts. As in Maes, it is within the capabilities of

one of ordinary skill in the art to use the known cellular technology to communicate with

the ATM taught in Coutts with the predictable result of a more efficient way of using an

ATM machine without requiring the use of the debit cards as required by Coutts. Neither

Coutts nor Maes teach downloading software onto a cell phone. However, Hsu teaches

sending a copy of a service proxy software to a cell phone (see at least abstract, col. 5,

line 49 - co. 7, line 17). The combination of Maes and Coutts teaches the use of a cell

phone to connect with an ATM. Hsu teaches downloading software to portable wireless

digital telephones. It would have been obvious to one of ordinary skill in the art at the

time of the invention to have downloaded software from a server onto a cellular phone

using the teachings of Hsu for the purposes of adding extra applications to be used on

the cell phone. As in Hsu, it is within the capabilities of one of ordinary skill in the art to

receive a copy of a service proxy software on a cell phone as taught by Maes to

communicate with the ATM server with predicted results of causing at least one

transaction to occur.

40.   Claims 36-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Coutts et al. (US 6311165 B1) in view of Dave et al. (1992 IEEE) in further view of

McGann (May 1997).

41.   Regarding claim 36, Coutts teaches *an automated transaction machine* (col. 3,

line 6 – col. 4, line 55). Coutts teaches *a transaction service* (col. 3, line 6 – col. 4, line

55). Coutts teaches *a processor* (col. 3, line 6 – col. 4, line 55). Coutts teaches *a*

transaction device in operative connection with the processor (col. 3, line 6 – col. 4, line

55). A transaction terminal. Coutts teaches *a service proxy software component in*

operative connection with the processor (col. 3, line 6 – col. 4, line 55. col. 34, line 51 –

col. 35, line 4, col. 39, lines 38 – 49, col. 41, lines 15 – 33, col. 11, lines 21- 33). Coutts

teaches *wherein the processor is operative to register with at least one other service in*

the automated transaction machine, wherein the processor is operative to cause a copy

of a service proxy to be delivered to the at least one other service, and wherein the

service proxy in the at least one other service is operative to cause at least one

command to be communicated to the processor, wherein the processor is operative

responsive to the command to cause the transaction device perform a transaction

function (col. 3, line 6 – col. 4, line 55, col. 34, line 51 – col. 35, line 4, col. 39, lines 38 –

49, col. 41, lines 15 – 33, col. 11, lines 21- 33). Dave also discusses registering and

service proxies (pg. 212-219). It would have been obvious to combine Coutts and Dave

as Coutts discloses modules adapted to function as constituents of a transaction

terminal operating through a server in a transaction network and Dave discloses the

various uses of proxies, as well as application interfaces, and distributed systems.

42.   Regarding claim 37, Coutts teaches *wherein the transaction device is a card*

reader, and wherein the transaction function includes reading an account number from

a card (Abstract, col. 3, line 6 – col. 4, line 5, col. 45, lines 12 – 28).

43.   Regarding claim 38, Coutts teaches *wherein the service proxy is operative in a Java Virtual Machine (JVM) of the automated transaction machine* (col. 25, line 66 – col. 26, line 11, col. 34, line 44 – col. 40, line 50).

44.   Regarding claim 39, Coutts teaches an automated transaction machine, with a transaction service, a processor, a transaction device, and service proxy software. However Coutts does not teach a discovery announcement message. However, Dave teaches *wherein the processor is operative to register with the at least one other service responsive to the processor receiving a discovery announcement message from the at least one other service*. Coutts discloses modules adapted to function as constituents of a transaction terminal operating through a server in a transaction network. Dave discloses the various uses of proxies, as well as application interfaces, and distributed systems. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Coutts to include the details of a discovery request message. Proxies and lookups would be used in order to build an effective distributed system among remote computers. At the time of the invention, proxies and lookups were a part of the plumbing that enabled communication between systems across a network. And since Coutts discloses both a network and multiple service proxies it would have been obvious for the invention to have a lookup service as well. Though disclosed by Dave, a discovery request message is inherent with lookup services that contain service proxies. A lookup service doesn't exist that does not have some type of a message sent back and forth. The message goes from a processor to a lookup service telling the lookup

service which item is required. The lookup service will respond with a message telling

the processor where to locate the item that is being requested by the processor.

45.   Regarding claim 40, Coutts teaches an automated transaction machine, with a

transaction service, a processor, a transaction device, and service proxy software.

Coutts does not teach a lookup service. However, Dave teaches *wherein the automated*

transaction machine comprises a lookup service and wherein the processor is operative

to cause the service proxy to register with the lookup service (pg. 212 – 219). Coutts

discloses modules adapted to function as constituents of a transaction terminal

operating through a server in a transaction network. Dave discloses the various uses of

proxies, as well as application interfaces, and distributed systems. It would have been

obvious to one of ordinary skill in the art at the time of the invention to modify Coutts to

include the details of a lookup service. Proxies and lookups would be used in order to

build an effective distributed system among remote computers. At the time of the

invention, proxies and lookups were a part of the plumbing that enabled communication

between systems across a network. And since Coutts discloses both a network and

multiple service proxies it would have been obvious for the invention to have a lookup

service as well. Though disclosed by Dave, a discovery request message is inherent

with lookup services that contain service proxies. A lookup service doesn't exist that

does not have some type of a message sent back and forth. The message goes from a

processor to a lookup service telling the lookup service which item is required. The

lookup service will respond with a message telling the processor where to locate the

item that is being requested by the processor. In this specific case the first copy is being

sent to the lookup service to be registered. The lookup service contains data and

information that is registered with the lookup service. Inherent with the lookup service is

the requirement that items would be registered with the service. The look up service

holds information on where an item is located. The information must be registered so

the lookup service can locate it and message back the location. The message goes

from a processor to a lookup service telling the lookup service which item is required.

The lookup service will respond with a message telling the processor where to locate

the item that is being requested by the processor.

46.   Regarding claim 41, Coutts teaches *wherein the transaction device includes a*

sheet dispenser, and wherein the transaction function includes dispensing a sheet from

the sheet dispenser (col. 10, line 47 – col. 11, line 10, col. 11, line 53 – col. 12, line 7).

47.   Claims 44-54, and 57-65 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Coutts et al. (US 6311165 B1) in view of Dave et al. (1992 IEEE) in

further view of Maes et al (US 6016476 A) in further view of Hsu et al (US 6587684 B1).

48.   Regarding claim 44, Coutts teaches, *a processor, wherein the processor is*

operative to communicate with a host that includes at least one service, wherein the

processor is operative to acquire from the host a copy of a first service proxy that

originates from the at least one service, wherein when the first service proxy is acquired

the first service proxy is operative in the processor (col. 34, line 51 – col. 35, line 4, col. 39, lines 38 – 49, col. 41, lines 15 – 33, col. 11, lines 21- 33). Coutts teaches *an automated teller machine* (abstract). Coutts teaches *within the ATM includes a cast dispenser, wherein the ATM is operative to perform a transaction function including a dispense of cash* (col. 3, line 6 - col. 4, line 55, col. 3, lines 6 - col. 4, line 55, col..8, line 29 - col. 11, line 10, col. 11, line 53 - col. 12, line 44, col. 17, lines 5 - 25, col. 8, lines 29 – 43). Coutts teaches wherein *the ATM includes at least on service* (col. 3, line 6 - col. 4, line 55, col. 3, lines 6 - col. 4, line 55, col..8, line 29 - col. 11, line 10, col. 11, line 53 - col. 12, line 44, col. 17, lines 5 - 25, col. 8, lines 29 – 43). *Coutts* teaches *a data store in operative connection with the processor, wherein the data store includes account information corresponding to at least one account, wherein the processor is operative responsive to the first service proxy to cause the at least one service to perform a transaction function responsive to the account information* (Abstract, col. 3, line 6 – col. 4, line 55, col. 34, line 51 – col. 35, line 4, col. 39, lines 38 – 49, col. 41, lines 15 – 33, col. 11, lines 21- 33). Dave also discloses data stores and service proxies (pg. 212-219). It would have been obvious to combine Coutts and Dave as Coutts discloses modules adapted to function as constituents of a transaction terminal operating through a server in a transaction network and Dave discloses the various uses of proxies, as well as application interfaces, and distributed systems. The combination of Coutts and Dave does not specifically teach a cell phone. However, Maes teaches a cell phone with a processor in connection to an ATM machine to operate at least one transaction function device of the transaction service, including a data store (abstract, col. 4, line 45

– col. 5, line 25, col. 14, line 1-16). Maes teaches a cell phone causing the ATM to

operate in a transaction involving the account information (abstract, col. 4, line 45 - col.

5, line 25, col. 14, lines 1-16). Coutts discloses an automated transaction machine

including an ATM. Maes discloses a cell phone which is in communication with an ATM.

It would have been obvious to one of ordinary skill in the art at the time of the invention

to modify Coutts to include the details of using a cell phone to communicate with an

ATM as in the improvement discussed in Maes in the apparatus using the structure of

Coutts. As in Maes, it is within the capabilities of one of ordinary skill in the art to use

the known cellular technology to communicate with the ATM taught in Coutts with the

predictable result of a more efficient way of using an ATM machine without requiring the

use of the debit cards as required by Coutts. Neither Coutts nor Maes teach

downloading software onto a cell phone. However, Hsu teaches sending a copy of a

service proxy software to a cell phone as well as the service proxy software being

invoked through the operation of the cell phone in response to at least one user input

(see at least abstract, col. 5, line 49 - co. 7, line 17). The combination of Maes and

Coutts teaches the use of a cell phone to connect with an ATM. Hsu teaches

downloading software to portable wireless digital telephones. It would have been

obvious to one of ordinary skill in the art at the time of the invention to have downloaded

software from a server onto a cellular phone using the teachings of Hsu for the

purposes of adding extra applications to be used on the cell phone. As in Hsu, it is

within the capabilities of one of ordinary skill in the art to receive a copy of a service

proxy software on a cell phone as taught by Maes to communicate with the ATM server

with predicted results of causing at least one transaction to occur.

49.   Regarding claim 45, Coutts teaches *an input device in operative connection with*

the processor, and wherein the data store further includes password information, and

wherein responsive to at least one input of validating data through the input device the

processor is operative to determine if the input corresponds to the password

information, wherein when the processor determines that the input corresponds to the

password information, the processor is operative responsive to the first service proxy to

cause the ATM to operate the cash dispenser (col. 11, line 51 – col. 14, line 11, col. 17,

line 25 – col. 18, line 25, col. 3, line 6 - col. 4, line 55, col. 3, lines 6 - col. 4, line 55,

col..8, line 29 - col. 11, line 10, col. 11, line 53 - col. 12, line 44, col. 17, lines 5 - 25, col.

8, lines 29 – 43).

50.   Regarding claim 46, Coutts teaches *wherein the service includes the input device*

(col. 11, line 51 – col. 14, line 11, col. 17, line 25 – col. 18, line 25).

51.   Regarding claim 47, Coutts teaches an ATM able to receive a *service proxy and*

be operative responsive to the copy to perform a further function (col. 34, line 51 – col.

35, line 4, col. 39, lines 38 – 49, col. 41, lines 15 – 33, col. 11, lines 21- 33). Coutts

teaches multiple service proxies (col. 11, lines 21 – 33). Coutts does not specifically

teach a second service proxy. However, Dave teaches *a second service proxy in*

operative connection with the processor, wherein the processor is operative to cause a

copy of the second service proxy to be received by the service, wherein the service is

operative responsive to the copy of the second service proxy to cause the processor to

perform a further function (pg. 212-219). Coutts discloses modules adapted to function

as constituents of a transaction terminal operating through a server in a transaction

network. Dave discloses the various uses of proxies, as well as application interfaces,

and distributed systems. It would have been obvious to one of ordinary skill in the art at

the time of the invention to modify Coutts to include the details of a second service

proxy because proxies are and were a part of the plumbing that enabled communication

between systems across a network. More then one service proxy is required for more

then one location. Each location requires its own service proxy.

52.   Regarding claim 48, Coutts teaches *wherein the data store includes password*

information, and wherein the further function includes determining if validating data input

through an input device corresponds to the password information (col. 11, line 51 – col.

14, line 11, col. 17, line 25 – col. 18, line 25).

53.   Regarding claim 49, Coutts teaches *wherein the further function includes causing*

account information to be delivered to the ATM (col. 33, line 24 – col. 39, line 37, col.

50, line 52 – col. 51, line 64)

54.   Regarding claim 50, Coutts teaches *further comprising a virtual machine*

operative in the processor, wherein the first service proxy is operative in the virtual

machine (col. 3, line 6 – col. 4, line 55, col. 28, lines 1 – 67).

55.   Regarding claim 51, Coutts teaches *wherein the service includes at least one*

transaction function device, and wherein the transaction function includes operation of

the transaction function device (col. 3, line 6 – col. 4, line 55, col. 14, line 14 – col. 20,

line 11).

56.   Regarding claim 52, Coutts teaches *wherein the transaction function device*

includes a cash dispenser device, wherein the transaction function includes the

dispense of cash from the cash dispenser device (col. 3, line 6 – col. 4, line 55, col. 11,

line 50 – col. 14, line 11).

57.   Regarding claim 53, Coutts teaches *an input device and a display device in*

operative connection with the processor, wherein the processor is operative responsive

to the first service proxy to cause output of an interface menu through the display

device, and wherein the processor is operative responsive to the first service proxy and

at least one input to the input device to cause the ATM to operate the cash dispenser

(col. 3, line 6 – col. 4, line 55, col. 11, line 51 – col. 14, line 11, col. 17, line 25 – col. 18,

line 25, col. 41, line 46 – col. 54, line 53, col. 36, lines 23 – 40, col. 25, lines 5 – 44).

Coutts does not teach a cellular phone. However, Maes teaches a cellular connection to

an ATM machine including a display (abstract, col. 4, line 45 – col. 5, line 55, col. 14,

line 1-16). Coutts discloses an automated transaction machine including an ATM. Maes

discloses a cell phone which is in communication with an ATM. It would have been

obvious to one of ordinary skill in the art at the time of the invention to modify Coutts to

include the details of using a cell phone to communicate with an ATM as in the

improvement discussed in Maes in the apparatus using the structure of Coutts. As in

Maes, it is within the capabilities of one of ordinary skill in the art to use the known

cellular technology to communicate with the ATM taught in Coutts with the predictable

result of a more efficient way of using an ATM machine without requiring the use of the

debit cards as required by Coutts.

58.   Regarding claim 54, Coutts teaches *a browser operative in the processor,*

wherein the browser is operative to cause output of the interface menu through the

display device (col. 3, line 6 – col. 4, line 55, col. 41, line 46 – col. 54, line 53, col. 36,

lines 23 – 40, col. 25, lines 5 – 44).

59.   Regarding claim 57, Coutts teaches *a display device in operative connection with*

the processor (col. 3, line 6 – col. 4, line 55, col. 11, line 51 – col. 14, line 11, col. 17,

line 25 – col. 18, line 25, col. 41, line 46 – col. 54, line 53, col. 36, lines 23 – 40, col. 25,

lines 5 – 44). Coutts teaches *an input device in operative connection with the processor,*

wherein the first service proxy includes a transaction service proxy, wherein when the

processor is placed in operative communication with the ATM, the processor is

operative to output an interface menu through the display device responsive to the

acquired transaction service proxy (col. 11, line 51 – col. 14, line 11, col. 17, line 25 –

col. 18, line 25). Coutts teaches *wherein the interface menu includes user interface*

indicia corresponding to at least one transaction function that the ATM is operative to

perform at least one transaction function that corresponds to the at least one input (col.

11, line 51 – col. 14, line 11, col. 17, line 25 – col. 18, line 25).

60.   Regarding claim 58, Coutts teaches *wherein the data store includes data*

representative of a password information, wherein the processor is operative responsive

to an input of validating data through the input device to determine if the validating data

corresponds to the password information, and responsive to a determination of such

correspondence the processor is operative responsive to the transaction service proxy

to cause the ATM to perform a transaction function (Abstract, col. 3, line 6 – col. 4, line

55, col. 11, line 51 – col. 14, line 11, col. 17, line 25 – col. 18, line 25).

61.   Regarding claim 59, Coutts teaches *a browser operative in the processor and*

wherein the ATM includes at least one interface page (col. 3, line 6 – col. 4, line 55, col.

36, lines 45 – 65), *and wherein the browser is operative to cause output of the interface*

menu through the display device responsive to at least one interface page received by

the processor from the ATM (col. 3, line 6 – col. 4, line 55, col. 36, lines 45 – 65, col. 10,

line 48 – col. 11, line 50, col. 24, lines 32 – 49, col. 32, lines 10- 32, col. 38, line 65 –

col. 39, line 64).

62.   Regarding claim 60, Coutts teaches *wherein the transaction service proxy is*

operative to cause the processor to receive interface pages from the ATM responsive to

a resolution characteristic of the display device (col. 3, line 6 – col. 4, line 55, col. 36,

lines 45 – 65, col. 10, line 48 – col. 11, line 50, col. 24, lines 32 – 49, col. 30, line 2 –

col. 41, line 45).

63.   Regarding claim 61, Coutts teaches *a transaction host* (abstract, col. 8, line 29 –

col. 11, line 50). Coutts teaches *wherein the transaction host includes data*

representative of purchase information and wherein the processor is operative

responsive to the transaction service proxy to cause the purchase information to be

retrieved from the transaction host (abstract, col. 8, line 29 – col. 11, line 50, col. 39, line

38 – col. 41, line 46).

64.   Regarding claim 62, Coutts teaches *wherein the transaction function performed*

by the transaction host includes charging an account responsive to the account

information for an amount of value that corresponds to purchase information (col. 11,

line 50 – col. 14, line 11, col. 50, line 52 – col. 51, line 64).

65.   Regarding claim 63, Coutts teaches *a prompt to validate the amount of value*

(col. 13, line 55 – col. 14, line 12, col. 14, lines 22 – 43, col. 18, lines 17 – 28, col. 40,

line 63 – col. 41, line 10).

66.   Regarding claim 64, Coutts teaches an automatic transaction machine, network,

a processor attached to the network, user interface software operative with the

processor, and service proxies. Coutts teaches a display device (col. 11, line 52 – col.

12, line 35, col. 13, line 8 - col. 19, line 40). Coutts teaches point of sale terminals which

include display devices (col. 32, line 32 – col. 37, line 65). It would have been obvious to

modify Coutts to include that *through the display device includes a description of an*

item being purchased as it allows the participants to check to see that the right

characteristics of the products exist before purchase. Before purchasing an item, most

people require a description of the item. Coutts discloses an automatic transaction

device that includes a display device as well as a multi-media dispenser. As stated

before Coutts describes a multi-media dispenser. It is also disclosed that "ski passes"

could be sold through the machine. Before purchasing a ski pass the purchaser would

need to know the details of the item that would be purchased. The display would need

to show that it was a ski pass that was to be purchased. Thus it would have been

obvious to a person of ordinary skill in the art at the time of the invention to modify

Coutts to include the details of including a description of the item being purchased for.

67.   Regarding claim 65, Coutts teaches an automatic transaction machine, network,

a processor attached to the network, user interface software operative with the

processor, and service proxies. Coutts teaches a display device (col. 11, line 52 – col.

12, line 35, col. 13, line 8 - col. 19, line 40). Coutts teaches point of sale terminals which

include display devices (col. 32, line 32 – col. 37, line 65). It would have been obvious to

modify Coutts to include a *listing of items available to purchase* as it allows the

participants to check to see what the options are to be purchased. Before purchasing an

item, people require a list of their options. Coutts discloses an automatic transaction

device that includes a display device as well as a multi-media dispenser. As stated

before Coutts describes a multi-media dispenser. It is also disclosed that "ski passes"

could be sold through the machine. Before purchasing a ski pass the purchaser would

need to know which items could be purchased. Different time frames that the pass

would be good for, age range for the pass. Since Coutts includes a display the device

must sell more then one object, which would require a list. Thus it would have been

obvious to a person of ordinary skill in the art at the time of the invention to modify

Coutts to include the details of including a list of items for sale.

68.   Claims 55 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Coutts et al. (US 6311165 B1) in view of Dave et al. (1992 IEEE) in further view of

Maes et al (US 6016476 A) in further view of Hsu et al (US 6587684 B1) in further view

of Huang (US 6907565 B1).

69.   Regarding claim 55, Coutts teaches an automated transaction machine, with a

transaction service, a processor, a transaction device, and service proxy software.

Coutts teaches an *interface menu* (col. 47, lines 1 – 66). Coutts does not specifically

teach instruction pages. However, Huang teaches *interface instruction pages in*

operative connection with the processor (col. 2, line 35 – col. 11, line 35). Huang

teaches *wherein the browser is operative to cause output of the interface responsive to*

at least one of the interface instruction pages (col. 2, line 35 – col. 11, line 35). Coutts

discloses modules adapted to function as constituents of a transaction terminal

operating through a server in a transaction network as well as Web based facilities to be

used within a kiosk terminal. Huang discloses platform-independent method and system

for creating, viewing and editing electronic documents using a Web browser. It would

have been obvious to one of ordinary skill in the art at the time of the invention to modify

Coutts to include the details of instruction pages. Instruction pages teach the user how

to use the machine. Since automatic transaction machines are standalone machines

they don't require an actual teller or store clerk to hand out the currency or the item

purchased. The problem with not using a human is it requires the customer to know how

to use the machine. Without prior exposure to such a machine it would be difficult to use

properly without instruction.

70.   Regarding claim 56, Coutts teaches an automated transaction machine, with a

transaction service, a processor, a transaction device, and service proxy software.

Coutts does not specifically teach instruction pages. However, Huang teaches *wherein*

at least one of the instruction pages includes XML instructions (col. 2, line 35 – col. 11,
line 35). Coutts discloses modules adapted to function as constituents of a transaction
terminal operating through a server in a transaction network as well as Web based
facilities to be used within a kiosk terminal. Huang discloses platform-independent
method and system for creating, viewing and editing electronic documents using a Web
browser. It would have been obvious to one of ordinary skill in the art at the time of the
invention to modify Coutts to include the details of instruction pages in XML. Instruction
pages teach the user how to use the machine. Since automatic transaction machines
are standalone machines they don't require an actual teller or store clerk to hand out the
currency or the item purchased. The problem with not using a human is it requires the
customer to know how to use the machine. Without prior exposure to such a machine it
would be difficult to use properly without instruction. It would have been obvious to use
XML because it is a blend of human readable and machine readable and would allow
more automated updates because important terms are tagged.

71.   Claim 66 is rejected under 35 U.S.C. 103(a) as being unpatentable over Coutts
et al. (US 6311165 B1) in view of Dave et al. (1992 IEEE) in further view of Maes et al
(US 6016476 A) in further view of Hsu et al (US 6587684 B1) in further view of Gustin et
al. (US 5897625 A).

72.   Regarding claim 66, Coutts teaches an automated transaction machine, with a
transaction service, a processor, a transaction device, and service proxy software. Dave

teaches service proxies. The combination of Coutts and Dave does not specifically

teach a cell phone. However, Maes teaches a cell phone which is operative to cause an

ATM to perform a transaction (abstract, col. 4, line 45 - col. 5, line 25, col. 14, lines 1-

16). Coutts discloses an automated transaction machine including an ATM. Maes

discloses a cell phone which is in communication with an ATM. It would have been

obvious to one of ordinary skill in the art at the time of the invention to modify Coutts to

include the details of using a cell phone to communicate with an ATM as in the

improvement discussed in Maes in the apparatus using the structure of Coutts. As in

Maes, it is within the capabilities of one of ordinary skill in the art to use the known

cellular technology to communicate with the ATM taught in Coutts with the predictable

result of a more efficient way of using an ATM machine without requiring the use of the

debit cards as required by Coutts. Though Maes teaches a transaction being done by

using a cell phone to communicate with an ATM machine, the combination of Coutts,

Dave, and Maes does not specifically state causing the ATM to accept a paper check.

However, Gustin teaches causing the ATM to receive at least on financial check (col.

12, line 9 - col. 13, line 4). The combination of the combination of Coutts, Dave, Maes

and Gustin teaches a cell phone commanding the ATM to perform a transaction which

is specifically accepting a paper check. At the time of the invention the functionality

existed in the technology on ATM machines to accept paper checks. It would have been

obvious to one of ordinary skill in the art at the time of the invention to have accepted a

check as an improvement to Maes as discussed in the art of Gustin. As in Gustin, it is

within the capabilities of one of ordinary skill in the art to have an ATM have the

capabilities of accepting checks with the predicted results of adding a greater

functionality to the machine as needed in the combination of Coutts, Dave, and Maes.

Allowable Subject Matter

73.   Claims 46, 51, and 52 would be allowable if rewritten to overcome the

rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to

include all of the limitations of the base claim and any intervening claims.

74.   Claims 46, 51, and 52 are objected to as being dependent upon a rejected base

claim, but would be allowable if rewritten in independent form including all of the

limitations of the base claim and any intervening claims.

75.   The following is an examiner's statement of reasons indication of allowable

subject matter: Claims 46, 51, 52, 67-77 include details regarding the use of an ATM

transaction menu displayed on a cell phone device.

76.   Examiner's Note: The Examiner has cited particular columns and line numbers

in the references as applied to the claims for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are

applied to the specific limitations within the individual claim, other passages and figures

may apply as well. It is respectfully requested from the applicant, in preparing the

responses, to fully consider the references in entirety as potentially teaching all or part

of the claimed invention, as well as the context of the passage as taught by the prior art

or disclosed by the examiner.

Conclusion

77.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to JAMIE H. SWARTZ whose telephone number is

(571)272-7363. The examiner can normally be reached on 8:00am-4:30pm Monday-

Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. H. S./
Examiner, Art Unit 3694

/James P Trammell/
Supervisory Patent Examiner, Art Unit 3694